

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Priority Mail Express, Label Number EJ 841 188 554 US, addressed
to Nicholas Tejeda, Unit #1603, 801 South Hope Street, Los Angeles
Ca 90017 with a return address of (513)2081300, 104 Millville Ave,
Hamilton OH 45013, Veronica Smith.

Case No. 1:21-mj-952

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express, Label Number EJ 841 188 554 US, addressed to Nicholas Tejeda, Unit #1603, 801 South Hope Street, Los Angeles Ca 90017 with a return address of (513)2081300, 104 Millville Ave, Hamilton OH 45013, Veronica Smith.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

A quantity of a controlled substance and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Section 841(a)(1).

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
21 U.S.C. 841 (a) (1)	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Alan J. Wilkins

- ☒ Continued on the attached sheet.
- ☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Alan J. Wilkins

Applicant's signature

Alan J. Wilkins, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.
via FaceTime video

Date: Dec 13, 2021

City and state: Cincinnati, Ohio

Karen L. Litkovitz
Karen L. Litkovitz
United States Magistrate Judge



AFFIDAVIT

I, Alan J. Wilkins, having been duly sworn, depose and state:

1. I am a United States Postal Inspector with the United States Postal Inspection Service (USPIS), assigned to the Cincinnati, Ohio Field Office. I have been employed by the United States Postal Inspection Service since June 1, 2013. I have investigative responsibility for southwest Ohio and northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the illegal transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.
2. I have gained experience through completion of the Basic Inspector Training (BIT) in August of 2013. During BIT training, I was instructed in all phases of criminal investigation such as: criminal law, search and seizure, field enforcement techniques, firearms proficiency, drug and narcotics identification, drug and narcotics field testing, interviewing and evidence collection. Since June 2013 I have worked with various federal, state, and local law enforcement agencies in the prosecution of crimes involving the U.S. Mail and the U.S. Postal Service including but not limited to mail fraud, bank fraud, mail theft, burglaries, robberies, homicides, dangerous mail investigations, and mailed narcotics.
3. This Affidavit is made in support of a search warrant for the following property, namely a package associated with the following United States Postal Service (USPS) Priority Mail Express, Label Number:

a. **EJ 841 188 554 US (the "Subject Package")**

This Affidavit is made in support of a warrant to search the **Subject Package** for evidence of a crime as well as contraband, fruits of a crime or other items illegally possessed in relation to the following offenses:

- a. Possession with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, Section 841.

Because this Affidavit is submitted in support of the application of the United States to search the **Subject Package**, it does not include every fact known concerning this investigation, I have set forth facts and circumstances that I have relied upon to establish probable cause to justify the issuance of a warrant to search the **Subject Package**. The **Subject Package** is currently located at the USPIS Cincinnati Field Office.

4. Based on my training and experience, I have become aware that drug traffickers frequently use Priority Mail Express and/or Priority Mail, services offered by the United States Postal Service (USPS), to transport narcotics and other dangerous controlled substances and their proceeds. As a result of investigations and successful controlled substance prosecutions where Priority Mail Express and/or Priority Mail were used, I

have learned of certain characteristics indicative of other Priority Mail Express and/or Priority Mail items previously identified as containing narcotics or other dangerous controlled substances and their proceeds. Some of these characteristics include, but are not necessarily limited to or used on every occasion - false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed to or from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity. I am aware that packages containing illegal narcotics or proceeds can sometimes have correct return address or addressee information. Narcotics traffickers will use legitimate names of residents with or without their permission and knowledge in an attempt to conceal their illegal activities.

5. Through my training and experience, I am aware it is not uncommon for drug traffickers engaging in drug transactions through the mail to store narcotics, their proceeds, or packaging materials, etc., in the presence of one another. Therefore, it would not be uncommon for an odor of a controlled substance to be present on the package, packaging materials, or contents of the package, including financial proceeds from narcotics trafficking such as cash, money orders, or other financial instruments.
6. The **Subject Package** was mailed from the Rossville Post Office, Hamilton, OH 45013 on or about December 10, 2021. On or about December 12, 2021, a Postal Inspector intercepted the **Subject Package** at the Cincinnati Processing and Distribution Center. Observation of the **Subject Package** indicates it is a Priority Mail Express parcel in a white Priority Mail Express Flat Rate envelope and weighs approximately 1 pound 8.4 ounces. Postage paid for was \$27.10.

The **Subject Package** is further described as:

Priority Mail Express, Label Number: EJ 841 188 554 US

Sender: (513)2081300
104 Millville Ave
Hamilton OH 45013
Veronica Smith

Addressee: Nicholas Tejeda
Unit #1603
801 South Hope Street
Los Angeles Ca 90017

7. I searched the Consolidated Lead Evaluation and Reporting (CLEAR) database system regarding the listed return address on the **Subject Package**. CLEAR is a public record data investigative platform available exclusively to law enforcement and other government investigators about people and businesses. The information obtained from the system indicated that there is no Veronica Smith associated with that address.

Additionally, I searched the CLEAR database regarding the listed telephone number on the **Subject Package**. The information obtained from the system indicated that there is no Veronica Smith associated with that telephone number. However, the telephone number does associate with the listed return address.

8. I searched the CLEAR database regarding the listed addressee on the **Subject Package**. The information obtained from the system indicated that there is no Nicholas Tejada associated with that address.
9. On or about December 13, 2021, Postal Inspectors arranged for Deputy Nick Poole, Hamilton County Sherriff's Office, to utilize a narcotics canine to check the **Subject Package**. Deputy Poole and his canine "Akim" are a currently certified narcotics team. The team is certified by the Ohio Peace Officer Training Commission and the Office of the Attorney General (Ohio). Deputy Poole reports that "Akim" passed all of his examinations and has successfully located hidden drugs in the past and therefore I consider "Akim" to be reliable. On the same date, I met Deputy Poole at the USPS Cincinnati Field Office where the **Subject Package** was placed in separate office among several other similar packages and presented to narcotic canine, "Akim", who alerted positively to the presence or odor of a controlled substance upon the **Subject Package**.
10. Attached and incorporated by reference is a photocopy of the narcotic canine handler's record of examination.
11. Based upon my experience and training, this information, along with the positive alert of narcotic canine "Akim" is indicative of the **Subject Package** containing narcotics or proceeds relating thereof.
12. Based upon the information contained in this Affidavit, I believe that there is probable cause to believe that the **Subject Package** will contain evidence and/or contraband, fruits of crime, or other items illegally possessed. Therefore, a search warrant to open the **Subject Package** is requested.

Respectfully submitted,



Alan J. Wilkins
U.S. Postal Inspector

Subscribed and sworn to and before me this 13th day of December, 2021


Karen L. Litkovitz
United States Magistrate Judge



United States Postal Inspection Service
Pittsburgh Division

OFFICER AFFIDAVIT

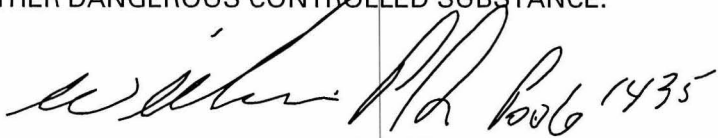
I, DEPUTY N. POOLE, AM, AND HAVE BEEN, EMPLOYED BY THE HAMILTON COUNTY SHERIFF'S OFFICE, SINCE 2004. AMONG OTHER DUTIES, I AM CURRENTLY THE ASSIGNED HANDLER OF NARCOTICS DETECTION CANINE "AKIM", WHICH IS TRAINED AND CERTIFIED IN THE DETECTION OF THE PRESENCE OR ODOR OF NARCOTICS DESCRIBED AS FOLLOWS:

Marijuana, Cocaine, Heroin, Methamphetamines, and their derivatives.

ON 12/13/2021, AT THE REQUEST OF A POSTAL INSPECTOR I RESPONDED TO THE USPIS CINCINNATI FIELD OFFICE WHERE "AKIM" DID ALERT TO AND INDICATE UPON THE FOLLOWING DESCRIBED ITEM:

USPS Priority Mail Express, USPS Label Number: EJ 841 188 554 US, addressed to: Nicholas Tejeda, Unit #1603, 801 South Hope Street, Los Angeles Ca 90017, with a return address of (513)2081300, 104 Millville Ave, Hamilton OH 45013, Veronica Smith.

BASED ON MY TRAINING AND EXPERIENCE AND THAT OF "AKIM", I CONSIDER THE ABOVE DESCRIBED ITEM TO CONTAIN WITHIN OR UPON THE PRESENCE OR ODOR OF A NARCOTIC OR OTHER DANGEROUS CONTROLLED SUBSTANCE.


(Signature and Date)

12-13-2021